

Re: Global Settlement acknowledgement

Subject: Re: Global Settlement acknowledgement
From: PHIL KENNER <kenner33@gmail.com>
Date: 5/18/2009 12:23 PM
To: Jay McKee <NicJay74@aol.com>
CC: Tommy Constantine <tommy@eufora.com>

Jay:

Can you fax the attorney letters to me at (646) 827-0832.

Thanks. Phil

McKee also signed an affidavit for Kenner in the defense of the Nolan trial (just like the Norstrom, Stumpel and Gonchar affidavits) that were turned over from the November 2013 search at Kenner's home office. The McKee affidavit (as well as a few others) was not turned over in Rule 16.

From: Jay McKee <NicJay74@aol.com>
Date: Mon, 18 May 2009 15:20:22 -0400
To: PHIL KENNER <kenner33@gmail.com>
Subject: Re: Global Settlement acknowledgement

Acknowledged and approved..

-----Original Message-----

From: PHIL KENNER <kenner33@gmail.com>
To: Jay McKee <NicJay74@aol.com>
Sent: Mon, 18 May 2009 1:15 am
Subject: Global Settlement acknowledgement

Jay & Nicole:

Per our conversation, please acknowledge your approval and authorization for me to have wire transferred \$250,000 to Attorney Ron Richard's Trust Account for your proportionate contribution to the Global Settlement Fund. In addition to the fund paying for various legal fees, PR Agency fees, as well as other protective advances and settlement costs, you will be receiving transfer of membership agreements from Tommy for your acquisition of additional interest in Eufora, LLC, as well as your new LLC and operating agreements reflecting your ownership interest in the Avalon Airpark Real Estate Project, the Falcon 10 aircraft, and the two Palms Place condominium units. You may not recall Tommy or I mentioning the Palms units in our conversation. In any case, because Moreau and Tommy settled that case as part of the Global Settlement, he has graciously elected to include you as a beneficiary in the significant equity that exists in those two units as part of this transaction. As we discussed, rather than throwing money away only on legal fees, this strategy which effectively acquires significant assets,=2 0while providing a legal remedy, is by far our best solution.

Tommy has requested from all of us and will provide to us, written documentation of every element of this transaction. Please respond, ACKNOWLEDGED AND APPROVED, to this email accordingly ASAP.

Thanks. Phil

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